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TITLE:

Meetings and Consultation Pursuant to the California Environmental Quality Act

AFFECTED
PARTIES:

Hazardous Waste Management Program
Office of Pollution Prevention & Technology Development
Office of Policy & Environmental Analysis
Public Participation Branch

This management memorandum relates to provisions of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations section 15000 et seq.

PURPOSE:

This memorandum establishes Department policy relating to meetings and consultation which may be convened by the Department in its role as Lead Agency for purposes of determining the scope and content of environmental documents required for a project.

BACKGROUND:

The Department is required to conduct an Initial Study to determine if a project may have a significant effect on the environment and whether an Environmental Impact Report (EIR) or Negative Declaration should be prepared for a project. The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Department based on scientific and factual data. Much of this information may be readily available to the Department in the form of a completed facility application, CEQA environmental information form, geological reports, and other informational documents necessary for the Department to conduct an environmental assessment of a project.

Public Consultation -

In determining whether an effect will be adverse or beneficial, the Department shall consider the views held by members of the public in all areas affected [State CEQA Guidelines section 15064 (c)].

Prior to completing a draft EIR, the Department may consult directly with any person or organization it believes will be concerned with the environmental effects of the project (State CEQA Guidelines section 15083). The Department refers to such meetings as

"scoping meetings". *It is the policy of the Department that such "scoping meetings" will be open to the public.*

Public Agency Consultation -

As soon as the Department has determined that an Initial Study will be prepared for a project, the Department must consult informally with all Responsible Agencies and Trustee Agencies responsible for resources affected by the project to obtain the recommendations of those - agencies as to whether an EIR or Negative Declaration should be prepared [State CEQA Guidelines section 15063 (g)]. *It is the policy of the Department that any consultative meetings with such agencies will be limited in attendance to public agency representatives. Such meetings will not be open to the public.*

The Department, Responsible Agency, Trustee Agency or project applicant may request one or more meetings between representatives of the agencies involved to assist the Department in determining the scope and content of the environmental information which the Responsible Agency may require [State CEQA Guidelines section 15082 (c)]. *It is the policy of the Department that such meetings will be limited in attendance to the project applicant, if the meeting was requested by the applicant, or to public agency representatives, if the meeting was requested by a public agency. In either case, the Department may choose to include the consultant who is directly involved in the preparation of the draft and final EIR. Such meetings will not be open to the public.*

Applicant Consultation -

Where applicable, the Department may consult with an applicant during or immediately after preparation of the Initial Study, to determine if the applicant is willing to modify the project to reduce or avoid the significant effects identified in the Initial Study [State CEQA Guidelines section 15063 (g)]. *It is the policy of the Department that such meetings will be limited in attendance to the project applicant. The Department may choose to include the consultant who will be directly involved in the preparation of the draft and final EIR. Such meetings will not be open to the public.*

IMPLEMENTATION:

In conjunction with all other CEQA policies and procedures established by the Department, the policies contained herein shall be followed by all affected programs.

Additional assistance concerning this memorandum may be obtained by contacting the Planning & Environmental Analysis Section.

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Original Signed By:
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January 5, 1994

William F. Soo Hoo, Director